

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : Unassigned (Continuation of Application No. 09/910,515)
 Applicant : Thomas J. Hayes et al.
 Filed : July 16, 2003
 Title : BASE FOR FOOD CONTAINERS
 TC/A.U. : Unassigned
 Examiner : Unassigned
 Docket No. : 47097-01079USC1

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§1.97 and 1.98

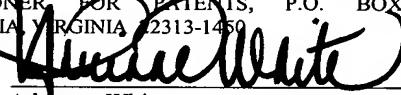
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Dear Commissioner:

CERTIFICATE OF MAILING 37 C.F.R. 1.8

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07/16/2003



Adrienne White

In compliance with the duty of disclosure under 37 C.F.R. §1.56, it is respectfully requested that this Information Disclosure Statement be entered and the references listed on attached Form PTO-1449 be considered by the Examiner and made of record.

This application is continued from pending U.S. Patent Application Serial No. 09/910,515 ("Base for Food Containers"), now allowed, which was filed on July 19, 2001.

In accordance with 37 C.F.R. § 1.98(d), copies are enclosed of only those references not already of record or cited by the Examiner in a prior related application.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information disclosed is, or is considered to be, prior art with respect to the present application or material to patentability as defined in 37 C.F.R. §§ 1.56.

The present Information Disclosure statement is being filed within three months of the filing date of this application, and hence is believed to be timely in accordance with 37 C.F.R.

§ 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement. The Commissioner is authorized to charge any other fees which may be required (expect the issue fee), or to credit any overpayment, to Jenkens & Gilchrist, P.C. Deposit Account No. 10-0447(47097-01079USC1).

Respectfully submitted,



Date: July 16, 2003

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Form PTO-1449 (modified)		Atty. Docket No. 47097-01079USC1	Serial No. Unassigned
List of Patents and Publications for Applicant's INFORMATION DISCLOSURE STATEMENT		Applicant Thomas J. Hayes et al.	
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U.S. Patent Documents							
Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date if App.
	A1	D461,123	08/06/2002	Hayes et al.	D9	429	07/19/2001
	A2	D458,538	06/11/2002	Hayes et al.	D9	434	07/19/2001
	A3	Des. 177,360	04/10/1956	Becker et al.	D44	1	12/23/1954
	A4	Des. 195,699	07/16/1963	Bostrom	D58	11	02/01/1961
	A5	Des. 197,310	01/07/1964	Butzko	D58	11	06/05/1962
	A6	Des. 198,290	05/26/1964	Miller, Jr. et al.	D58	12.6	03/07/1963
	A7	Des. 198,545	06/30/1964	Bostrom	D58	13	03/16/1961
	A8	Des. 209,605	12/19/1967	Zoeller et al.	D44	1	08/22/1966
	A9	Des. 226,775	04/24/1973	Jones	D7	2	06/10/1971
	A10	Des. 249,234	09/05/1978	Limon et al.	D9	219	12/28/1976
	A11	Des. 249,238	09/05/1978	Limon et al.	D9	219	12/28/1976
	A12	Des. 255,659	07/01/1980	Dugan et al.	D9	219	09/29/1977
	A13	Des. 270,703	09/27/1983	El-Hag et al.	D7	357	04/23/1981
	A14	Des. 273,181	03/27/1984	Braddon	D9	425	07/30/1981
	A15	Des. 276,216	11/06/1984	Michaud	D9	425	12/18/1981
	A16	Des. 280,182	08/20/1985	Tyler	D9	425	01/11/1983
	A17	Des. 290,232	01/09/1987	Holzkopf et al.	D9	424	02/10/1984
	A18	Des. 298,791	12/06/1988	Holzkopf	D7	83	08/06/1985
	A19	Des. 304,909	12/05/1989	Natori	D9	423	06/24/1986
	A20	Des. 305,409	01/09/1990	Michaud et al.	D9	425	08/26/1986
	A21	Des. 341,316	11/16/1993	Fritz et al.	D9	429	01/16/1992
	A22	Des. 343,576	01/25/1994	Krupa	D9	423	11/20/1992
	A23	Des. 345,894	04/12/1994	Krupa	D7	552	02/02/1993
	A24	Des. 345,912	04/12/1994	Krupa	D9	429	02/02/1993
	A25	Des. 348,608	07/12/1994	Wyslotsky	D9	425	02/22/1993
	A26	Des. 351,999	11/01/1994	Krupa	D9	423	10/12/1993
	A27	Des. 352,000	11/01/1994	Hansen et al.	D9	429	08/06/1993
	A28	Des. 358,091	05/09/1995	Warburton	D9	429	07/08/1993

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U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date if App.
	A29	Des. 382,796	08/26/1997	Mangola	D9	429	08/07/1996
	A30	Des. 391,850	03/10/1998	Krupa et al.	D9	429	07/17/1997
	A31	Des. 392,881	03/31/1998	Bulcher et al.	D9	425	08/30/1996
	A32	Des. 392,884	03/31/1998	Hayes	D9	431	06/07/1995
	A33	Des. 393,204	04/07/1998	Goins et al.	D9	425	07/19/1996
	A34	Des. 415,025	10/12/1999	McCann	D9	429	11/20/1998
	A35	Des. 429,961	08/29/2000	Harris	D7	540	08/31/1999
	A36	2,061,610	11/1936	Burnette	53	7	11/25/1935
	A37	3,098,597	07/23/1963	Johnson et al.	229	2.5	02/27/1953
	A38	3,104,776	09/24/1963	Bostrom	220	73	09/06/1961
	A39	3,151,799	10/06/1964	Engles, Jr. et al.	229	2.5	04/04/1962
	A40	3,253,762	05/31/1966	Gaunt	229	2.5	03/23/1964
	A41	3,318,283	05/09/1967	Maclam et al.	118	500	03/04/1965
	A42	3,563,445	02/16/1971	Clayton	229	25	09/11/1968
	A43	4,129,189	11/28/1978	Shumrak et al.	206	520	06/17/1977
	A44	4,442,969	04/17/1984	Holden	229	2.5	04/28/1983
	A45	4,466,552	08/21/1984	Butterworth et al.	220	354	08/08/1983
	A46	4,553,585	08/06/1985	Holden	428	116	05/25/1984
	A47	4,863,058	09/05/1989	Antoni et al.	220	72	05/01/1988
	A48	4,874,083	10/17/1989	Antoni et al	206	45	
	A49	4,994,638	02/19/1991	Iorns et al.	219	10.55	02/24/1988
	A50	5,046,659	09/10/1991	Warburton	229	2.5	11/13/1990
	A51	5,094,355	03/10/1992	Clark et al.	220	4.23	12/20/1990
	A52	5,131,551	07/21/1992	Wells	220	4.23	04/18/1991
	A53	5,269,430	12/14/1993	Schlaupitz et al.	220	4.23	01/28/1992
	A54	5,322,182	06/21/1994	Fritz	220	623	05/21/1993
	A55	5,381,901	01/17/1995	Hundley	206	457	02/03/1994
	A56	5,423,453	06/13/1995	Fritz	220	608	08/18/1994

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U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date if App.
	A57	5,456,379	10/10/1995	Krupa et al.	220	339	10/03/1994
	A58	5,515,993	05/14/1996	McManus	220	339	12/12/1994
	A59	5,577,627	11/26/1996	Richie-Dubler	220	4.23	06/07/1995
	A60	5,607,709	03/04/1997	Jill A. Fritz et al.	426	106	
	A61	5,628,427	05/13/1997	Hayes	220	669	06/07/1995
	A62	5,662,237	09/02/1997	Cain	220	368	08/27/1996
	A63	5,685,453	11/11/1997	Goins et al.	220	782	11/15/1995
	A64	5,730,313	03/24/1998	Hayes et al.	220	526	09/24/1996
	A65	2003/0015539	01/23/2003	Hayes et al.			07/19/2001

Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1	572074	11/14/1958	Belgium			No
	B2	8029894	05/13/1982	Germany			Yes, see below
	B3	05132059	05/28/1993	Japan			Yes, see below
	B4	1012752	12/09/2000	Netherlands			Yes, see below

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	English Abstract of European Patent No. EP51868, which is related to German Patent No. 8029894
	C2	International Search Report for International Application No. PCT/US02/22882; dated November 6, 2002; 7 pages
	C3	Pactiv Advanced Packaging Solutions Catering Products Catalog
	C4	Pactiv Advanced Packaging Solutions Catering Products Catalog; November, 2000; 12 pgs.
	C5	Pactiv Advanced Packaging Solutions, Specialty Product Specification Catalog; 2001; 180 pgs.
	C6	Pages 67 and 81 from Specialty Products Product Specification Catalog 2001
	C7	Tenneco Packaging Caterware Egg Insert
	C8	Tenneco Packaging Caterware Egg Insert product brochure; June, 1999; 2 pgs.

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Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C9	Translation of Japanese Patent Abstract No. 05132059
	C10	Translation of Netherlands Patent Abstract No. 1012752

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